



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,293	01/26/2001	Yoshiharu Hino	0152-0549P-SP	4828
7590 05/24/2006			EXAMINER	
BIRCH, STEWART, KOLASCH & BIRCH, LLP			LEE, SEUNG H	
P.O. Box 747			ART UNIT	
Falls Church, VA 22040-0747			PAPER NUMBER	
			2876	

DATE MAILED: 05/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/769,293

Applicant(s)

HINO ET AL.

Examiner

Seung H. Lee

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. Receipt is acknowledged of the response filed on 13 March 2006, which has been entered in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 4, and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Rodgers et al. (US 6,362,737)(hereinafter referred to as 'Rodgers').

Rodgers teaches a carrier (3700) serving as an accessed object comprising a series of capacitor (3710 and 3714) serving as a semiconductor device and antenna coils (3708 and 3716) bent to extend two surfaces of the carrier, the antenna coils are located in the vicinity of the a corner portion, the carrier is a casing and the antenna

Art Unit: 2876

coils are provided inside of the carrier as shown in figure 37 wherein the antenna are forming loop or continuous wiring (see figs. 1, and 37; col. 55, lines 9-48).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodgers in view of Smithgall (US 6,027,027).

The teachings of Rodgers have been discussed above.

In addition to the teachings of Rodgers as discussed above, he also teaches that the a series of capacitors are located away from the bent portion of the antenna wherein the antenna is bent at a right angle (see fig. 37).

However, Rodgers fails to particularly teach or fairly suggest that the antenna coils are formed on a flexible sheet.

Smithgall teaches a RFID tag comprising an antenna (301) and an integrated circuit (410) wherein the antenna and the integrated circuit are attached to paper substrate (420) (see fig. 4; col. 2, line 44-col. 5, line 15).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Smithgall to the teachings of Rodgers in order to provide flexibility by attaching the circuit and antenna onto the paper

Art Unit: 2876

substrate wherein the paper substrate are well known in the art at the time the invention for bending at certain angle such as right angle without breaking the substrate and/or antenna for providing wireless communication using the antenna therewith.

6. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rodgers in view of Sanders (US 6,276,523, record).

The teachings of Rodgers have been discussed above.

Although, Rodgers teaches the carrier having antennas thereon, he fails to particularly teach or fairly suggest that the container is a translucent and the container is an information recording medium.

However, Sanders teaches a compact disc container can be constructed of opaque plastic materials for holding information recording medium such as a compact disc (see Figs. 1a and 1b; col. 10, lines 25-38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Sanders to the teachings of Rodgers in order to provide convenience to user(s) wherein user(s) can verify the contents of the container without physically opening the container in which the container is holding the information recording medium such as a compact disc.

Response to Arguments

7. Applicant's arguments filed 13 March 2006 have been fully considered but they are not persuasive.

Art Unit: 2876

In response to applicant's argument that *".....a proper consideration of each of the disclosed of the cited/applied art of record.....fails to teach or provide....."* (see page 12, 1st paragraph), the Examiner respectfully request the applicant to particularly point out what is filed to show/disclose.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Seung H. Lee whose telephone number is (571) 272-2401. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

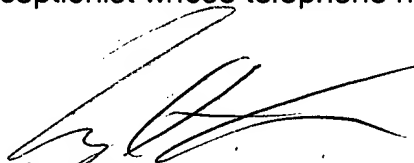
Art Unit: 2876

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571) 272-2398. The fax-phone number for this group is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [seung.lee@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Seung H. Lee
Art Unit 2876
May 16, 2006